

**Enrolled Minutes of the Fifty-Fifth Regular or Special Meeting
For the Twenty-Seventh Highland Town Council
Regular Meeting
Monday, February 24, 2014**

Study Session. The Twenty Seventh Town Council of the Town of Highland, Lake County, Indiana met in a study session preceding the regular meeting on Monday, February 24, 2014 at 6:45 p.m. in the regular place, the plenary meeting chambers of the Highland Municipal Building, 3333 Ridge Road, Highland, Indiana.

Silent Roll Call: Councilors Bernie Zemen, Mark A. Herak, Dennis Adams, Konnie Kuiper and Dan Vassar were present. The Clerk-Treasurer, Michael W. Griffin was present to memorialize the proceedings. A quorum was attained.

General Substance of Matters Discussed.

1. The Town Council discussed the imminent agenda of the regular meeting.
2. The Town Council discussed the inquiry made in writing by Attorney James L. Wieser representing a client with a matter regarding a use variance that received an unfavorable recommendation. It is expected to be taken up by the Town Council at its March 10, 2014 plenary business meeting.
3. The Town Council discussed the provisions in the proposed construction management services agreement from The Skillman Corporation.

The study session ended at 7:02 O'clock p.m.

Regular meeting. The Twenty Seventh Town Council of the Town of Highland, Lake County, Indiana met in its regular session on Monday, February 24, 2014 at 7:05 O'clock P.M. in the regular place, the plenary meeting chambers of the Highland Municipal Building, 3333 Ridge Road, Highland, Indiana.

The Council President Dan Vassar presided and the Town Clerk-Treasurer, Michael W. Griffin, was present to memorialize the proceedings. The meeting was opened with Councilor Dennis Adams reciting the Pledge of Allegiance to the Flag of the United States of America and Councilor Kuiper offering a prayer.

Roll Call: Present on roll call were Councilors Bernie Zemen, Mark Herak, Dennis Adams, Konnie Kuiper and Dan Vassar. The Clerk-Treasurer, Michael W. Griffin was present to memorialize the proceedings. A quorum was attained.

Additional Officials Present: Rhett L. Tauber, Town Attorney; John M. Bach, Public Works Director; Peter Hojnicky, Metropolitan Police Chief; William R. Timmer, Jr., CFOD, Fire Chief; Alex M. Brown, CPRP, Parks and Recreation Superintendent; Kenneth J. Mika, Building Commissioner and Cecile Petro, Redevelopment Director were present.

Also Present: Scott Cherry, Executive Vice President, of Skillman Corporation; Ed Dabrowski, Contract IT Coordinator; Randy Bowman, Assistant Inspector for Electrical; and Steve Mileusnich of the Advisory Board of Zoning Appeals, were also present.

Minutes of the Previous Meetings:

The minutes of the regular meeting of February 10, 2014 were approved by general consent.

Special Orders:

1. Public Hearing on a Petition to Vacate a Public Way or Easement. Petition filed by Public Building Corporation and the Town Council of the Town of Highland, requesting the vacation of an alley, pursuant to IC 36-7-3-12.

- (a) Review of Proofs of Publication: The TIMES 14 February 2014; Post-Tribune 14 February 2014. The Town Attorney indicated that he had reviewed the proofs of publication and found them to be in compliance with IC 5-3-1.
- (b) Public Hearing on the Petition as filed. The Town Council President called the hearing to order. There were no comments written or spoken. The hearing was closed.
- (c) Consideration of proposed **Ordinance No. 1551: An Ordinance to vacate a Public Way or Easement.** Councilor Herak introduced Ordinance No. 1551 and moved for its consideration at the same meeting of its introduction. Councilor Adams seconded. Upon a roll call vote, a unanimous vote being necessary, there were five affirmatives and no negatives. The motion passed. The ordinance could be considered at this same meeting of its introduction.

Councilor Herak moved for the passage and adoption of Ordinance No. 1551 at the same meeting of its introduction. Councilor Adams seconded. Upon a roll call vote, a two-thirds vote being necessary, there were five affirmatives and no negatives. The motion passed. The ordinance was passed and adopted at the same meeting of its introduction.

**ORDINANCE NO. 1551
OF THE
TOWN OF HIGHLAND, INDIANA**

**AN ORDINANCE VACATING PUBLIC ALLEYS AND PUBLIC WAYS, PLACES OR EASEMENTS
PURSUANT TO INDIANA CODE 36-7-3, CHAPTERS 12 AND 16.**

WHEREAS, The Town Council of the Town of Highland is the Municipal Legislative Body of the unit; and

WHEREAS, The Town of Highland, Indiana, has filed a petition with the Clerk-Treasurer as clerk of the municipal legislative body, requesting a public hearing on the matter of vacation of a public ways, alleys, places or easements, the legal description of which is set forth herein; and

WHEREAS, The municipal clerk has caused through the petitioner, notice to be given in the manner prescribed in I.C. 5-3-1, as well as by certified mail to each owner of land that abuts the property proposed to be vacated, and such hearing has been conducted; and

WHEREAS, The Town Council desires to execute a vacation of the aforementioned public alleys, public ways, places or easements pursuant to Indiana Code 36-7-3 et sequitur;

NOW, THEREFORE, BE IT HEREBY ORDAINED by the Town Council of the Town of Highland, as follows:

Section 1. That the Town of Highland, by and through its Town Council of the Town of Highland, Lake County, Indiana, hereby vacates and forever releases all right, title and interest in and to the following described public alleys, public ways, places or easements to the Town of Highland, Indiana, 3333 Ridge Road, Highland, Indiana 46322:

ALLEYS

THE 20 FOOT ALLEY RUNNING NORTHWESTERLY AND SOUTHEASTERLY, LYING NORTH OF LOTS 1 THROUGH 3 AND SOUTH OF LOT 4 IN HIGHLAND PARK MANOR BLOCK 1, AS SHOWN IN PLAT BOOK 21, PAGE 41 IN THE OFFICE OF THE RECORDER IN LAKE COUNTY, INDIANA.

PARK DRIVE

THAT PART OF PARK DRIVE BOUNDED ON THE NORTH BY THE EAST EXTENSION OF THE OF THE SOUTH LINE OF LOT 5, BLOCK 1 OF HIGHLAND PARK MANOR AND BOUNDED ON THE SOUTH BY THE NORTH LINE OF RIDGE ROAD, AS SHOWN IN PLAT BOOK 21, PAGE 41 IN THE OFFICE OF THE RECORDER IN LAKE COUNTY, INDIANA.

As shown on the proposed Plat of Vacation attached hereto as Exhibit "A" and incorporated herein by reference.

Section 2. That the Town Council further finds and determines:

(A) That the vacation would not hinder growth or orderly development of the unit or neighborhood in which it is located or to which it is contiguous;

(B) That the vacation would not make access to the contiguous lands or lands of any aggrieved persons by means of a public way or difficult or inconvenient;

(C) The vacation would not hinder the public's access to a church, school, or other public building or place;

(D) The vacation would not hinder the use of a public way by the neighborhood in which it is located or to which it is contiguous;

Section 3. That this ordinance will be in full force and effect from and after its passage and adoption, subject and pursuant to provisions of I.C. 37-7-3-12(f).

Introduced and Filed on the 24th day of February 2014. Consideration on First Reading Sustained a vote of 5 in Favor and 0 Opposed, pursuant to I.C. 36-5-2-9.8.

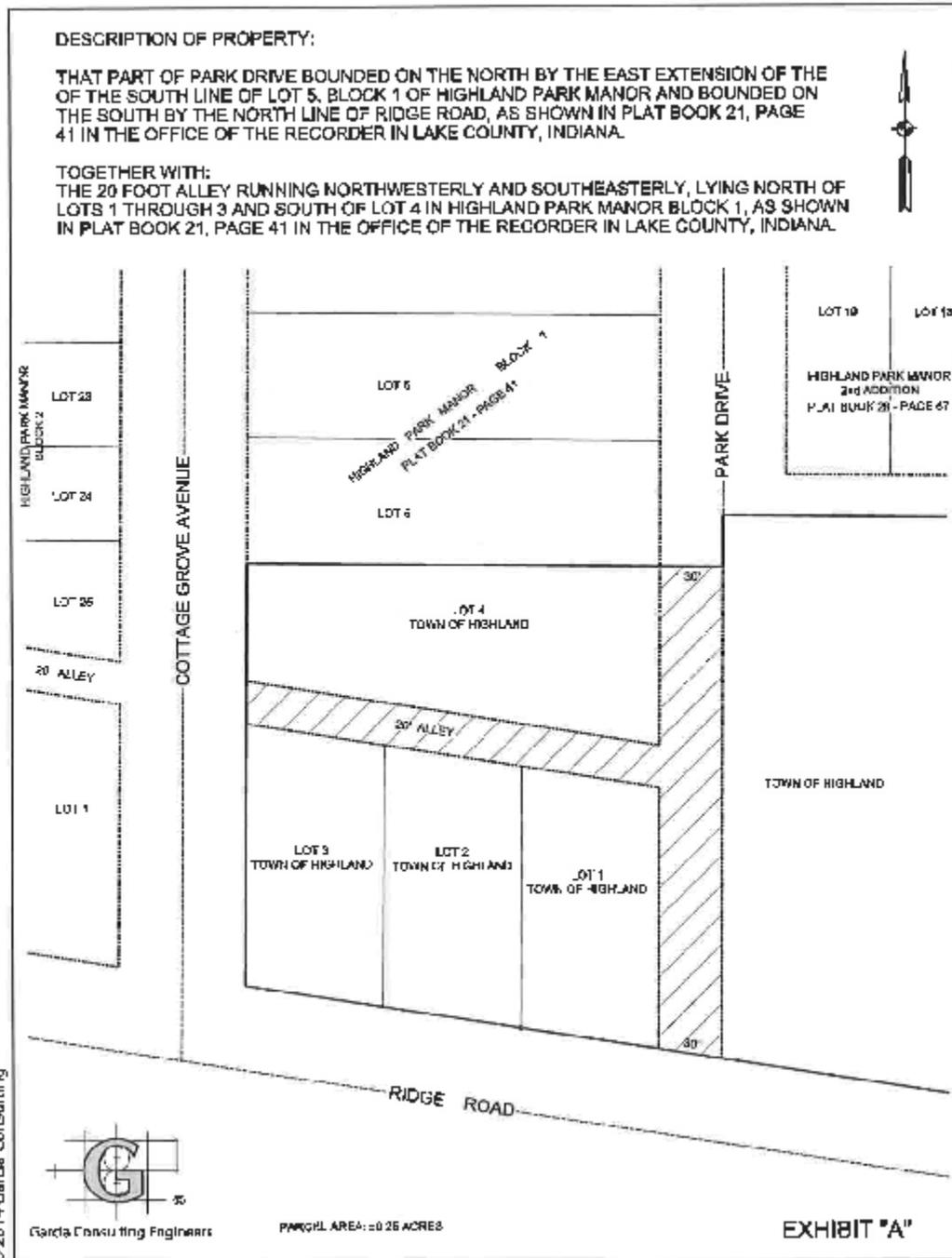
DULY ORDAINED AND ADOPTED this 24th day of February 2014, by the Town Council of the Town of Highland, Lake County, Indiana, having been passed by a vote of 5 in favor and 0 opposed.

**TOWN COUNCIL of the TOWN of
HIGHLAND, INDIANA**

Dan Vassar, President (IC 36-5-2-10)

Attest:

Michael W. Griffin, IAMC/MMC/CPFA/CPFIM/CMO
Clerk-Treasurer (IC 33-16-4-1; IC 36-5-6-5)



Unfinished Business and General Orders:

1. **Works Board Order No. 2014-03:** An Order Authorizing and Approving a Contribution to the Highland Chamber of Commerce in Support of Its Best of Highland Awards Event, Particularly Authorizing Payment of Event Admission for Highland Employees and Officers Named as Finalists.

Councilor Kuiper moved the passage and adoption of Works Board Order No. 2014-03. Councilor Adams seconded. Following the amendments below, a roll call was conducted on the works board order as amended. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The order as amended was adopted.

Councilor Kuiper moved to amend, seconded by Councilor Adams the Works Board Order by severing from the exhibit, Assistant Chief Pat Vassar. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The amendment severing Assistant Chief Pat Vassar from the exhibit listing workers to be covered by the payment of the ticket was passed. The amendment was adopted.

THE TOWN of HIGHLAND
WORKS BOARD ORDER NO. 2014-03

AN ORDER AUTHORIZING and APPROVING a CONTRIBUTION to the HIGHLAND CHAMBER OF COMMERCE, in support OF ITS BEST OF HIGHLAND AWARDS EVENT, PARTICULARLY AUTHORIZING PAYMENT OF EVENT ADMISSION FOR HIGHLAND EMPLOYEES AND OFFICERS NAMED AS FINALISTS.

Whereas, The Town Council for the Town of Highland is the Legislative and Fiscal Body of the Municipality as well as the works board pursuant to IC 36-1-2 et seq.,and

Whereas, The Highland Chamber of Commerce, an Incorporated Association comprised of Representatives in the business sector of the Town, organized and conducted a first ever Best of Highland Awards Event, which had as its purpose the salutary recognition of individuals in the private and public sectors of the Town; and

Whereas, The Highland Chamber of Commerce, included the category entitled "Civil Servants, in which eighteen employees or officers of the Town of Highland were named as finalists in one of several subcategories;

Whereas, Under its authority of IC 36-1-3, The Town passed and adopted Section §33.03 of the Highland Municipal Code which provides in pertinent part that the Town Council is authorized to budget and appropriate funds from the general fund of the town to pay the expenses incurred in promoting the best interests of the town and that such expenses may include, but not necessarily be limited to those incurred in developing relations with other organizations oriented to advancing the positive community interest of Highland or any other expenses of civic or governmental nature deemed by the Town Council to be in the interests of the Town; and

Whereas, The Highland Chamber of Commerce, has requested that the tickets for each finalist be supported by the Town in order to promote the event's success, and to remove any economic barrier to award finalists of the Town, that may bar participation;

Whereas, The Town Council has reviewed the matter, and in the interest of goodwill, comity and support of the Highland Chamber of Commerce and its Best of Highland Awards Event, now desires and elects to authorize and approve contributions to Highland Chamber of Commerce in support of its Best of Highland Awards Event, with such contributions to be for the purchase of the event ticket in the amount of forty dollars (\$40.00) for each Highland municipal employee or officer named a finalist in consequence of the Best of Highland Awards and who also attends the event;

Now Therefore Be it hereby Ordered by the Town Council of the Town of Highland, Lake County, Indiana;

Section 1. That in the interest of goodwill, comity and support of the Highland Chamber of Commerce and its Second Annual *Best of Highland Awards Event*, the Highland Town Council now does authorize and approve elective contributions to Highland Chamber of Commerce in support of its Best of Highland Awards Event, provided as follows:

- (a) That such elective contributions be based upon and in support of the purchase of the event ticket in the amount of forty dollars (\$40.00) for each Highland municipal volunteer, employee or officer named a finalist, *as depicted on the accompanying exhibit*; and
- (b) That volunteer, employee or officer of the Town named a finalist in the Best of Highland Awards must also attend the event; and,

Section 2. That the Town Council hereby finds and determines that such an expense promotes the laudable interests of the Town, supports more perfect relations with the Highland Chamber of Commerce and is a lawful expense supporting activities which are of a civic or governmental nature;

Section 3. That the Town Council hereby further finds and determines that the number of eligible, volunteers, employees or officers is in the amount of sixteen and the maximum contribution authorized by this order is fixed at six hundred, forty dollars (\$640);

Section 4. The Clerk-Treasurer is hereby authorized to take such lawful steps necessary to carry out the purposes of this order.

Be it so Ordered.

DULY, PASSED and ORDERED by the Town Council of the Town of Highland, Lake County, Indiana, acting as the Works Board, this 24th day of February 2014 having passed by a vote of 5 in favor and 0 opposed.

**TOWN COUNCIL of the TOWN of
HIGHLAND, INDIANA**

Dan Vassar, President (IC 36-5-2-10)

Attest:

Michael W. Griffin, IAMC/MMC/CPFA/CPFIM/CMO
Clerk-Treasurer (IC 33-16-4-1; IC 36-5-6-5)

CIVIL SERVANT AWARDS EXHIBIT

Civil Servant

Bridget DeYoung, Highland Main Street
Ken Mika, Highland Building Department

Public Works Department

John Bach
Ronnie Green
Dave Halton

Public Safety

Lloyd Blissmer, VIPS
Don Haynes, Highland Fire Department
Mike Pipta, Highland Fire Department
John Siple, Highland Police Department
Keith Thompson, Sr., VIPS
Bill Timmer, Fire Department

Parks Department

Alex Brown
Bob Knight
Laura Wanicki

School Town of Highland

Mike O'Donnell, School Resource Officer

Amendment of Agenda. Councilor Herak moved to amend the agenda for the consideration of the matter he styled as Works Board Order No. 2014-03(A). Councilor Kuiper seconded. Upon a roll call vote, a two-thirds vote being necessary, there were four affirmatives, no negatives and one abstention. With Councilors Zemen, Herak, Adams and Kuiper voting in the affirmative and Council President Vassar abstaining, the motion passed. The agenda was amended to permit consideration of Works Board Order No. 2014-03(A).

Works Board Order No. 2014-03(A): An Order Authorizing and Approving a Contribution to the Highland Chamber of Commerce in Support of Its Best of Highland Awards Event, Particularly Authorizing Payment of Event Admission for a single Highland Employee and Officer Named as a Finalist, Assistant Chief Pat Vassar.

Councilor Herak moved to pass and adopt the matter he styled as Works Board Order No. 2014-03(A). Councilor Kuiper seconded. Upon a roll call vote, there were four affirmatives, no negatives and one abstention. With Councilors Zemen, Herak, Adams and Kuiper voting in the affirmative and Council President Vassar abstaining, the motion passed. The Works Board Order No. 2014-03(A) was adopted.

THE TOWN of HIGHLAND
WORKS BOARD ORDER NO. 2014-03(A)

AN ORDER AUTHORIZING and APPROVING a CONTRIBUTION to the HIGHLAND CHAMBER OF COMMERCE, in support OF ITS BEST OF HIGHLAND AWARDS EVENT, PARTICULARLY AUTHORIZING PAYMENT OF EVENT ADMISSION FOR HIGHLAND EMPLOYEES AND OFFICERS NAMED AS FINALISTS.

Whereas, The Town Council for the Town of Highland is the Legislative and Fiscal Body of the Municipality as well as the works board pursuant to IC 36-1-2 et seq.,and

Whereas, The Highland Chamber of Commerce, an Incorporated Association comprised of Representatives in the business sector of the Town, organized and conducted a first ever Best of Highland Awards Event, which had as its purpose the salutary recognition of individuals in the private and public sectors of the Town; and

Whereas, The Highland Chamber of Commerce, included the category entitled "Civil Servants, in which eighteen employees or officers of the Town of Highland were named as finalists in one of several subcategories;

Whereas, Under its authority of IC 36-1-3, The Town passed and adopted Section §33.03 of the Highland Municipal Code which provides in pertinent part that the Town Council is authorized to budget and appropriate funds from the general fund of the town to pay the expenses incurred in promoting the best interests of the town and that such expenses may include, but not necessarily be limited to those incurred in developing relations with other organizations oriented to advancing the positive community interest of Highland or any other expenses of civic or governmental nature deemed by the Town Council to be in the interests of the Town; and

Whereas, The Highland Chamber of Commerce, has requested that the tickets for each finalist be supported by the Town in order to promote the event's success, and to remove any economic barrier to award finalists of the Town, that may bar participation;

Whereas, The Town Council has reviewed the matter, and in the interest of goodwill, comity and support of the Highland Chamber of Commerce and its Best of Highland Awards Event, now desires and elects to authorize and approve contributions to Highland Chamber of Commerce in support of its Best of Highland Awards Event, with such contributions to be for the purchase of the event ticket in the amount of forty dollars (\$40.00) for each Highland municipal employee or officer named a finalist in consequence of the Best of Highland Awards and who also attends the event;

Now Therefore Be it hereby Ordered by the Town Council of the Town of Highland, Lake County, Indiana;

Section 1. That in the interest of goodwill, comity and support of the Highland Chamber of Commerce and its Second Annual *Best of Highland Awards Event*, the Highland Town Council now does authorize and approve elective contributions to Highland Chamber of Commerce in support of its Best of Highland Awards Event, provided as follows:

- (a) That such elective contributions be based upon and in support of the purchase of the event ticket in the amount of forty dollars (\$40.00) for each Highland municipal volunteer, employee or officer named a finalist, *as depicted on the accompanying exhibit*; and
- (c) That volunteer, employee or officer of the Town named a finalist in the Best of Highland Awards must also attend the event; and,

Section 2. That the Town Council hereby finds and determines that such an expense promotes the laudable interests of the Town, supports more perfect relations with the Highland Chamber of Commerce and is a lawful expense supporting activities which are of a civic or governmental nature;

Section 3. That the Town Council hereby further finds and determines that the number of eligible, volunteers, employees or officers is in the amount of sixteen and the maximum contribution authorized by this order is fixed at six hundred, forty dollars (\$640);

Section 4. The Clerk-Treasurer is hereby authorized to take such lawful steps necessary to carry out the purposes of this order.

Be it so Ordered.

DULY, PASSED and ORDERED by the Town Council of the Town of Highland, Lake County, Indiana, acting as the Works Board, this 24th day of February 2014 having passed by a vote of 4 in favor and 0 opposed, with 1 abstention.

TOWN COUNCIL of the TOWN of
HIGHLAND, INDIANA

Dan Vassar, President (IC 36-5-2-10)

Attest:

Michael W. Griffin, IAMC/MMC/CPFA/CPFIM/CMO
Clerk-Treasurer (IC 33-16-4-1;IC 36-5-6-5)

CIVIL SERVANT AWARDS EXHIBIT

Chamber Board Member

Pat Vassar, Highland Police Department

- 2. Works Board Order No. 2014-04:** An Order Approving and Authorizing An Agreement Between The Skillman Corporation, Inc., and the Town of Highland through its Board of Works to Perform Professional Construction Management and Advisory Services for the Police Facility Construction Project.

Councilor Kuiper moved the passage and adoption of the Works Board Order No. 2014-04. Councilor Adams seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The order was adopted.

TOWN OF HIGHLAND
BOARD OF WORKS
ORDER OF THE WORKS BOARD NO. 2014-04

AN ORDER APPROVING AND AUTHORIZING AN AGREEMENT BETWEEN THE SKILLMAN CORPORATION INC., AND THE TOWN OF HIGHLAND THROUGH ITS BOARD OF WORKS TO PERFORM PROFESSIONAL CONSTRUCTION MANAGEMENT AND ADVISORY SERVICES FOR THE POLICE FACILITY PROJECT

Whereas, The Town Council and has heretofore determined that a need exists to construct and equip a new facility to support the Highland Metropolitan Police Department; and

Whereas, The Skillman Corporation, Inc., (Consultant) has offered and presented an agreement to provide and furnish professional construction management and advisory services in consideration for fees to be charged and billed in percentage increments and periodic installments for preconstruction services in the amount of forty-eight thousand, eight hundred sixty five dollars (\$48,865), for Construction Phase Services in an amount not to exceed three hundred twenty-nine thousand, three hundred thirty-five dollars (\$329,335), and reimbursable expenses not to exceed two hundred seven thousand, nine hundred dollars (\$207,900); and

Whereas, There are sufficient and available appropriations balances on hand to support the payments under the agreement, pursuant to IC 5-22-17-3(e); or

Whereas, The Board by a vote of at least two-thirds in the affirmative has determined that it is expedient and in the best public interest to employ professionals for the planning and financing of the work, such that it is expected that there will be sufficient and available appropriations balances on hand to support the payments for these services under the agreement, pursuant to IC 36-1-12-3.5; and

Whereas, The Town of Highland, through its Town Council acting as the municipal works board now desires to accept and approve the agreement for services as herein described.

Now Therefore Be it Ordered by the Town Council, acting as the Works Board of the Town of Highland, Lake County, Indiana as follows:

Section 1. That the Professional Construction Management and Advisory Services Agreement (incorporated by reference and made a part of this Order) between The Skillman Corporation, Inc., and the Town of Highland for the Police (Public Safety) Facility Construction Project is hereby approved, adopted and ratified in each and every respect;

Section 2. That the terms and charges under the agreement to be charged and billed in percentage increments and periodic installments for preconstruction services in the amount of forty-eight thousand, eight hundred sixty five dollars (\$48,865), for Construction Phase Services in an amount not to exceed three hundred twenty-nine thousand, three hundred thirty-five dollars (\$329,335), and reimbursable expenses not to exceed two hundred seven thousand, nine hundred dollars (\$207,900), are all found to be reasonable and fair;

Section 4. That the Town of Highland, through its Town Council, believes that The Skillman Corporation, Inc., has the demonstrated professional competence and qualifications to perform the particular professional services called for in the Agreement and associated project, pursuant to I.C. 5-16-11.1-5;

Section 5. That the contract for professional construction management and advisory services is subject to the verification of work status provisions of IC 22-5-1.7, including the inclusion or addendum of the necessary language provided in IC 22-5-1.7-11 and the filing of the appropriate affidavit;

Section 6. That the President of the Town Council be authorized to execute the Agreement with his signature as attested thereto by the Clerk-Treasurer.

Be it so Ordered.

DULY, PASSED and ORDERED by the Town Council of the Town of Highland, Lake County, Indiana, acting as the Works Board, this 24th day of February 2014 having passed by a vote of 5 in favor and 0 opposed.

**TOWN COUNCIL of the TOWN of
HIGHLAND, INDIANA**

Dan Vassar, President (IC 36-5-2-10)

Attest:

Michael W. Griffin, IAMC/MMC/CPFA/CPFIM/CMO
Clerk-Treasurer (IC 33-16-4-1;IC 36-5-6-5)

3. **Proposed Ordinance No. 1552:** An Ordinance to Amend Chapter 3.10 of the Highland Municipal Code Establishing an Additional Authorized Expense Payable in Advance of Allowance by the Board of Jurisdiction.

Councilor Kuiper introduced Ordinance No. 1552 and moved for its consideration at the same meeting of its introduction. Councilor Herak seconded. Upon a roll call vote, a unanimous vote being necessary, there were five affirmatives and no negatives. The motion passed. The ordinance could be considered at this same meeting of its introduction.

Councilor Kuiper moved for the passage and adoption of Ordinance No. 1552 at the same meeting of its introduction. Councilor Adams seconded. Upon a roll call vote, a two-thirds vote being necessary, there were five affirmatives and no negatives. The motion passed. The ordinance was passed and adopted at the same meeting of its introduction.

**ORDINANCE NO. 1552
TOWN OF HIGHLAND**

AN ORDINANCE TO AMEND CHAPTER 3.10 OF THE HIGHLAND MUNICIPAL CODE, ESTABLISHING AN ADDITIONAL AUTHORIZED EXPENSE PAYABLE IN ADVANCE OF ALLOWANCE BY THE BOARD OF JURISDICTION.

WHEREAS, The Town Council of the Town of Highland is the legislative and fiscal body of the Town; and

WHEREAS, IC 36-5-4-12 specifically provides that with the prior written approval of the board having jurisdiction over allowance of the claim, a town fiscal officer may make claims in advance of a board allowance for certain types of expenses that are adopted and listed in an ordinance; and

WHEREAS, Pursuant to the previous provisions, Section 3.10.010 of the Highland Municipal Code lists certain expenditures that may be made in advance of for formal allowance by a board of jurisdiction;

WHEREAS, After review of its provisions, it has been determined that it would support greater workflow and administrative processing economy to make certain additions to the existing provisions of Section 3.10.010; and,

WHEREAS, The Town Council now desires to make certain additions to the existing provisions of Section 3.10.010 with object of promoting greater workflow and administrative processing economy,

Therefore, Now Be it Hereby Ordained by the Town Council of the Town of Highland, Lake County, Indiana as follows:

Section 1. That the Highland Municipal Code is hereby amended by adding a new subdivision to Section 3.10.010 (A)(12), which shall read as follows:

**Chapter 3.10
ACCOUNT PAYABLE PAYMENTS IN ADVANCE OF FORMAL ALLOWANCE**

3.10.010 Authorized payments by the town clerk-treasurer

(A) (12) The following additional expenses outlined in this section:

(j) Payments made for the purchase of road salt, or other supplies, where a vendor requires payment to be remitted at time of delivery, provided the proper department head determines such payment too be in the interest of public safety.

Section 2. That the Highland Municipal Code is hereby amended by repealing subdivision (f) of Section 3.10.010 (A)(12), and adding a new subdivision to styled as subdivision (f) to Section 3.10.010 (A)(12), which shall read as follows:

Chapter 3.10

ACCOUNT PAYABLE PAYMENTS IN ADVANCE OF FORMAL ALLOWANCE

3.10.010 Authorized payments by the town clerk-treasurer

(A) (12) The following additional expenses outlined in this section:

(f) Payments to such vendors or service providers, public or private, which have provided services or goods to the municipality and for which a delay of payment incurs penalties or late payment charges.

Section 3. Any actions of any officer or employee which may have taken place prior to the passage and adoption of this ordinance and Code amendment that are made now lawful by its provisions, shall be deemed ratified and approved, all pursuant to and authorized by IC 36-1-4-16.

Section 4. Whereas an emergency exists for the immediate taking effect of this ordinance, these provisions amending the municipal code shall become and be in full force and effect from and after the date of its passage and adoption evidenced by the executive's signature in the manner prescribed by IC 36-5-2-10(a).

Introduced and Filed on the 24th day of February 2014. Consideration on same evening of introduction attained a vote of 5 in favor and 0 opposed, pursuant to IC 36-5-2-9.8.

DULY ORDAINED AND ADOPTED this 24TH day of February 2014 by the Town Council of the Town of Highland, Lake County, Indiana, having been passed by a vote of 5 in favor and 0 opposed.

**TOWN COUNCIL of the TOWN of
HIGHLAND, INDIANA**

Dan Vassar, President (IC 36-5-2-10)

Attest:

Michael W. Griffin, IAMC/MMC/CPFA/CPFIM/CMO
Clerk-Treasurer (IC 33-16-4-1;IC 36-5-6-5)

4. Proposed Ordinance No. 1553: An Ordinance to Amend Chapter 2.35 of the Highland Municipal Code Establishing an Additional Authorized Benefit for the Convenience of the Employer.

Councilor Herak introduced Ordinance No. 1553 and moved for its consideration at the same meeting of its introduction. Councilor Kuiper seconded. Upon a roll call vote, a unanimous vote being necessary, there were five affirmatives and no negatives. The motion passed. The ordinance could be considered at this same meeting of its introduction.

Councilor Herak moved for the passage and adoption of Ordinance No. 1553 at the same meeting of its introduction. Councilor Kuiper seconded. Upon a roll call vote, a two-thirds vote being necessary, there were five affirmatives and no negatives. The motion passed. The ordinance was passed and adopted at the same meeting of its introduction.

**ORDINANCE NO. 1553
TOWN OF HIGHLAND**

AN ORDINANCE TO AMEND CHAPTER 2.35 OF THE HIGHLAND MUNICIPAL CODE, ESTABLISHING AN ADDITIONAL AUTHORIZED BENEFIT FOR THE CONVENIENCE OF THE EMPLOYER.

WHEREAS, The Town Council of the Town of Highland is the legislative and fiscal body of the Town; and

WHEREAS, IC 36-5-4-2 specifically provides that a unit may establish and operate a government; and

WHEREAS, IC 36-5-4-15 specifically provides that a unit may fix the level of compensation of its employees and officers; and

WHEREAS, The Board of Water Works Directors has provided for the authority to furnish meals for workers responding to an exigency, and for the convenience of the municipality as employer;

WHEREAS, After review of its provisions, it has been determined that such a provision applicable for workers performing certain local road and street maintenance and restoration would be for the good of the unit; and,

WHEREAS, The Town Council now desires to make certain additions to the Municipal Code providing in limited cases for the furnishing of meals for workers performing certain local road and street maintenance and restoration with object of promoting greater production and administrative economy,

Therefore, Now Be it Hereby Ordained by the Town Council of the Town of Highland, Lake County, Indiana as follows:

Section 1. That the Highland Municipal Code is hereby amended by adding a new section to Chapter 2.35, which shall be numbered and read as follows:

Chapter 2.35
OFFICIALS AND EMPLOYEES REGULATIONS

2.35.015 Meals furnished for Certain Workers Responding to an Exigency involving Streets

(A) Whenever municipal employees are duly assigned and responding to an exigent matter involving the operating conditions of local roads and streets, as described herein, the Director or Assistant Director of Public Works is authorized to furnish a meal for the assigned and responding employees, when it is deemed to be for the convenience of the employer in satisfaction of the relevant regulations adopted by the Internal Revenue Service and the United States Treasury Department;

(B) Exigent matter involving the operating conditions of local roads and streets means incidents of snow, ice, or flooding that compromises the safety of public ways and arrests the ordinary flow of traffic, for which there has been effort expended for at least four consecutive hours;

(C) Any accounts payable voucher for the furnishing of such meal shall be prepared with reasonable detail and filed in the usual manner particularly setting forth the employees for whom the meals was furnished;

(D) The amount expended for any such meal shall not be in excess of the daily reimbursement limitations for meals while traveling as set forth and established by the municipality in its most recently enacted and effective compensation and benefits ordinance;

Section 2. Any actions of any officer or employee which may have taken place prior to the passage and adoption of this ordinance and Code amendment that are made now lawful by its provisions, shall be deemed ratified and approved, all pursuant to and authorized by IC 36-1-4-16.

Section 3. Whereas an emergency exists for the immediate taking effect of this ordinance, these provisions amending the municipal code shall become and be in full force and effect from and after the date of its passage and adoption evidenced by the executive's signature in the manner prescribed by IC 36-5-2-10(a).

Introduced and Filed on the 24th day of February 2014. Consideration on same evening of introduction attained a vote of 5 in favor and 0 opposed, pursuant to IC 36-5-2-9.8.

DULY ORDAINED AND ADOPTED this 24 th day of February 2014 by the Town Council of the Town of Highland, Lake County, Indiana, having been passed by a vote of 5 in favor and 0 opposed.

**TOWN COUNCIL of the TOWN of
HIGHLAND, INDIANA**

Dan Vassar, President (IC 36-5-2-10)

Attest:

Michael W. Griffin, IAMC/MMC/CPFA/CPFIM/CMO
Clerk-Treasurer (IC 33-16-4-1;IC 36-5-6-5)

5. Action to approve Letters of Commendation for exemplary public service leading to the award of a single paid day off for several workers in the metropolitan police department (agency). Pursuant to Section 4.13 of the Compensation and Benefits Ordinance, for the day off to be effective requires the approval of the board of jurisdiction and the Town Council. The Town Board of Metropolitan Police Commissioners has granted preliminary approval to several letters of commendation regarding several employees who have worked a full year without calling off. Action should include approval for the members of the Town Council to sign the letters of commendation. Councilor Herak moved to authorize and approve all the letters of commendation as presented and to further authorize the signing of the letters by the members of the Town Council except for Assistant Chief Pat Vassar. Councilor Kuiper seconded. Upon a roll call

vote, there were five affirmatives and no negatives. The motion passed. The approval and signing of the letters except for the one for Assistant Chief Vassar was adopted.

Councilor Herak moved to authorize and approve all the letter of commendation for Assistant Chief Vassar as presented and to further authorize the signing of the letter by the members of the Town Council. Councilor Adams seconded. Upon a roll call vote, there were four affirmatives, no negatives and one abstention. With Councilors Zemen, Herak, Adams and Kuiper voting in the affirmative and Council President Vassar abstaining, the motion passed. The approval and signing of the for Assistant Chief Vassar was adopted.

NEW BUSINESS

Agenda Amendment. Councilor Zemen moved to amend the Agenda to permit the consideration of the bids report for the solicitation for demolition services for the former Chela's Restaurant, 3325 45th Avenue, Highland, Indiana. Councilor Adams seconded. Upon a roll call vote, a two-thirds vote being necessary, there were five affirmatives and no negatives. The motion passed. The agenda was amended to consider the matter described.

Demolition Bids. The Building Commissioner reported that he received bids for demolition services pursuant to the proper notice at 10:00 a.m. on Thursday, January 23, 2014. He further reported that JM Industrial Services, Inc., presented a bid in the amount of \$42,300; C. Lee Services, Inc., presented a bid in the amount of \$44,700; and Actin Contracting, LLC presented a bid in the amount of \$48,430. The Building Commissioner recommended the selection of JM Industrial Services, Inc., in the amount of \$42,300.

Councilor Zemen moved that the bid for demolition services presented by JM Industrial Services, Inc., in the amount of \$42,300 be accepted and approved. Councilor Adams seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The bid was awarded to JM Industrial Services as indicated.

Comments from the Town Council Members (For the Good of the Order)

- **Councilor Bernie Zemen:** • *Liaison to the Park and Recreation Board* • *Chamber of Commerce Co-Liaison.*

Councilor Zemen also reminded those present of his radio program to be broadcast on Radio Station WJOB 1260.

Councilor Zemen acknowledged the Parks and Recreation Superintendent who reported that the comment period for the proposed Master Plan was extended for further comment.

- **Councilor Mark Herak:** • *Budget and Finance Chair* • *Liaison to the Board of Sanitary Commissioners* • *Liaison to the Community Events Commission* • *Liaison to the Board of Waterworks Directors.*

Councilor Herak also commended Ed Dabrowski on his son's performance at the recent swim contest.

- **Councilor Dennis Adams:** • *Liaison to the IT Consultant.*

Councilor Adams recognized the IT Consultant, Ed Dabrowski, who offered a brief survey of the status of the COMCAST conversion for Public Works and Parks and Recreation Departments.

Councilor Adams further inquired of the Building Commissioner about the status of code enforcement for the offenses at 9815 Indianapolis Boulevard, Highland.

Councilor Adams also briefly noted a recent trip he took in order to review some constructed building examples for the Police Department building project.

- **Councilor Konnie Kuiper:** • *Fire Department, Liaison* • *Town Board of Metropolitan Police Commissioners, Liaison* • *Chamber of Commerce Co-Liaison.*

Councilor Kuiper recognized the Fire Chief who offered a brief report on a garage fire that required a fire deployment.

- **Council President Dan Vassar:** • *Municipal Executive* • *Redevelopment Department Liaison.*

The Council President recognized the Scott Cherry, Senior Vice President of the Skillman Corporation, who serves as the construction manager for the Police Department Building. Mr. Cherry offered an update on the status of the project.

The Council President recognized the Redevelopment Director who offered a brief report regarding grant applications that were pending.

Comments from Visitors or Residents:

1. Laurel Roach, 9026 Price Place, Highland, expressed her thanks for permitting the Calumet and Chicago-land area Girl Scouts to use the Public Works facility at Kennedy Avenue for GSA Cookie order distribution. Ms. Roach gave members of the Town Council a box of cookies.

Payment of Accounts Payable Vouchers. There being no further comments from the public or visitors, Councilor Kuiper moved to allow the vendor accounts payable vouchers as filed on the pending accounts payable docket, covering the period February 11, 2014 through February 24, 2014 as well as the payroll dockets for December 13, 2013 and February 7, 2014. Councilor Adams seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The accounts payable vouchers for vendors and payroll dockets were allowed, payments allowed in advance were ratified, and for all remaining invoices, the Clerk-Treasurer was authorized to make payment.

Vendors Accounts Payable Docket:

General Fund, \$273,487.97; Motor Vehicle Highway and Street (MVH) Fund, \$ 72,639.72; Local Road and Street (LRS) Fund, \$3,376.91; Law Enforcement Cont. Education and Supply Fund, \$3,408.31; Information and Communications Technology Fund, \$5,958.53; Police Pension Fund (1925 Plan): \$63,320.37; Municipal Cumulative Capital Development Fund, \$3,824.00; Traffic Violations Fund, \$7,137.00; Total: \$ 433,152.81.

Payroll Docket for payday of December 13, 2013:

Council, Boards and Commissions, \$0.00; Office of Clerk-Treasurer, \$14,022.01; Building and Inspection Department, \$6,403.02; Metropolitan Police Department, \$106,343.35; Fire Department, \$2,900.14; Public Works Department (Agency), \$59,049.31; and 1925 Police Pension Plan Pension Fund, \$0.00; Total Payroll: \$188,717.83.

Payroll Docket for payday of February 07, 2014:

Council, Boards and Commissions, \$0.00; Office of Clerk-Treasurer, \$14,525.06; Building and Inspection Department, \$7,527.42; Metropolitan Police Department, \$99,499.69; Fire

Department, \$2,960.98; Public Works Department (Agency), \$81,071.58; and 1925 Police Pension Plan Pension Fund, \$0.00; Total Payroll: \$205,584.73.

Announcement and Notice. The Town Council President announced that the Town Council would convene in study session to receive a briefing from the Town Attorney.

Adjournment. Councilor Kuiper moved that the plenary meeting be adjourned. Councilor Adams seconded. Upon a vote *viva voce*, the motion passed. The regular plenary meeting of the Town Council of Monday, February 24, 2014 was adjourned at 7:34 O'clock p.m. A study session followed the meeting.

Study Session. The Twenty Seventh Town Council of the Town of Highland, Lake County, Indiana met in a study session following the regular (rescheduled) meeting on Monday, February 24, 2014 at 7:45 p.m. in the plenary meeting room of the Highland Municipal Building, 3333 Ridge Road, Highland, Indiana.

Silent Roll Call: Councilors Bernie Zemen, Mark Herak, Dennis Adams, Konnie Kuiper and Dan Vassar were present. The Town Clerk-Treasurer, Michael W. Griffin was present to memorialize the proceedings. A quorum was attained.

Also Present: Rhett L. Tauber, Town Attorney; John Bach, Public Works Director and Ed Dabrowski were also present.

General Substance of Matters Discussed.

1. The Town Attorney and the Town Council discussed the on-going litigation between the customer communities and the City of Hammond Sanitary District involving the contract for treatment services and rate changes that are sought by the city. Councilor Herak indicated that the Board of Sanitary Commissioners was seeking the Town Attorney's assistance with the supervision of the litigation. The Town Attorney advised that he had conferred with Robert Tweedle the Attorney for the Sanitary District. It was further noted that a vote from the Board of Sanitary Commissioners would be needed to allow for the recurrent payments for services.
2. The Town Attorney offered a briefing on the status and progress of the Police Building construction and financing.
3. The Town Council President discussed with the Town Council the desirability to convene an executive session regarding some alleged misconduct of workers under the jurisdiction of the Town Council and the possible response. It was determined that the meeting would be convened at 7:45 p.m. on Monday March 3, 2014 immediately following the standing Study Session.

There being no further business, the study session ended at 8:04 o'clock p.m.

Michael W. Griffin, IAMC/ MMC/ CPFA/CPFIM/CMO
Town Clerk-Treasurer